

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MELITZA MARTINEZ GARRIGA

DEBTOR

CASE NO 16-06260-ESL

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

NOW COMES, MELITZA MARTINEZ GARRIGA, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated October 5, 2016, herewith and attached to this motion.
2. This proposed amended Plan is filed to increase the payment Plan base from \$36,000 to \$41,124 in order to cure the "insufficiently funded" issue raised by the Trustee in his unfavorable report (docket #15).

WHEREFORE debtor respectfully requests the confirmation of the requested amended Plan, dated October 5, 2016.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor in the above captioned case, and to all creditors and parties in interest appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 5th day of October, 2016.

/s/ Roberto A. Figueroa Colón

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United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:

Case No. 3:16-bk-6260

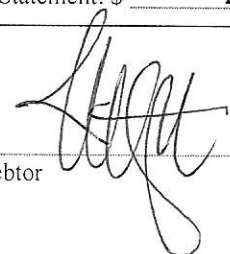
MARTINEZ GARRIGA, MELITZA

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

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|--|--|
| PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>10/05/2016</u> <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other | |
| <p>I. PAYMENT PLAN SCHEDULE</p> <p>\$ <u>250.00</u> x <u>8</u> = \$ <u>2,000.00</u> \$ <u>512.00</u> x <u>52</u> = \$ <u>26,624.00</u> \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____</p> <p style="text-align: right;">TOTAL: \$ <u>28,624.00</u></p> <p>Additional Payments: \$ <u>12,500.00</u> to be paid as a LUMP SUM within <u>56 months</u> with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: <input checked="" type="checkbox"/> Other: "Commission Income" \$2,500 yearly commencing in May/2017</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ <u>41,124.00</u></p> <p>III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,858.00</u></p> <p>Signed:  _____ Debtor</p> <p>Joint Debtor</p> | <p>II. DISBURSEMENT SCHEDULE</p> <p>A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>Banco Popular de P</u> Cr. _____ # <u>8120700207624</u> # _____ \$ <u>8,576.06</u> \$ _____ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>Banco Popular de P</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p> <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) * Debtor will pay GENERAL UNSECURED in full (100%), under Chapter 13 Plan. * Attorney Fee Provision: Trustee will pay Attorney's fees before any claim and after administrative expenses. * Late filed claims filed by creditors will receive no distribution. * Debtor reserves the right to object claims after Plan confirmation. * "Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank. * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."</p> |

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Label Matrix for local noticing
0104-3
Case 16-06260-ESL13
District of Puerto Rico
Old San Juan
Wed Oct 5 16:32:07 AST 2016

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